

12/24/03 \$1641

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.  
PTQ-0028

In Re Application Of: Van Eyk et al.

Serial No.  
09/419,901

Filing Date  
October 18, 1999

Examiner  
Cook, Lisa V.

Group Art Unit  
1641

Invention: Methods of Diagnosing Muscle Damage

TO THE COMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of January 7, 2003 in the above-identified application.  
*Date*

The requested extension is as follows (check time period desired):

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: November 27, 2003

*Date*

until: December 26, 2003

*Date*

A verified statement of small entity status as a small entity under 37 CFR 1.27:

- ☐ is enclosed.  
☒ has already been filed in this application.

The fee for the amendment and extension of time has been calculated as shown below:

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	29 -	68 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	2 -	5 =	0	x \$42.00	\$0.00
FEE FOR AMENDMENT					\$0.00
FEE FOR EXTENSION OF TIME					\$55.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$55.00

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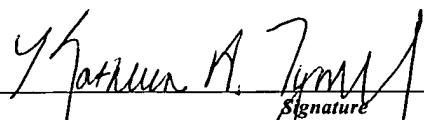
**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.  
PTQ-0028



The fee for the amendment and extension of time is to be paid as follows:

- ☐ A check in the amount of \$55.00 for the amendment and extension of time is enclosed.
- ☐ Please charge Deposit Account No. 50-1619 in the amount of \$55.00
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1619
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-1619

  
Signature

Dated: December 23, 2003

Kathleen A. Tyrrell, Reg. No. 38,350

Licata & Tyrrell P.C.  
66 East Main Street  
Marlton, NJ 08053  
Tel : 856-810-1515  
Fax: 856-810-1454

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:



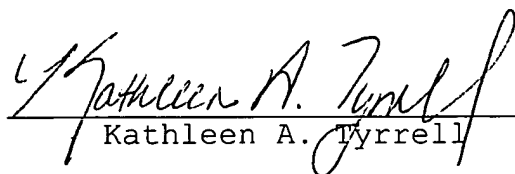
**CERTIFICATE OF EXPRESS MAILING**

Express Mail" Label No. **EL 976562898 US**

Date of Deposit: **December 23, 2003**

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Mail Stop FEE Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- 1) Amendment & Petition for Extension of Time Transmittal Letter (in duplicate);
- 2) Amendment in Response to the Office Action dated August 26, 2003;
- 3) Declaration by Jennifer Van Eyk;
- 4) Fourteen (14) sheets of informal drawings containing Figures 1-14;
- 5) USPTO Credit Card Payment Form authorizing payment in the amount of \$235.00 (\$55.00 for extension of time and \$180.00 for Supplemental IDS);
- 6) Return Postcard.

  
Kathleen A. Tyrrell



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: PTQ-0028

Inventors: Van Eyk et al.

Serial No.: 09/419,901

Filing Date: October 18, 1999

Examiner: Cook, Lisa V.

Group Art Unit: 1641

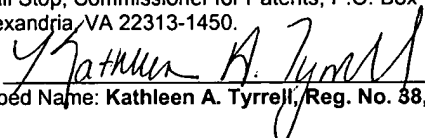
Title: Methods of Diagnosing Muscle Damage

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By

  
Typed Name: Kathleen A. Tyrrell, Reg. No. 88,350

Mail Stop  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313

Dear Sir:

**Reply under 37 C.F.R. 1.111**

This is a reply to the Office Action mailed August 26, 2003 setting a three (3) month statutory period for response. A Petition for a one (1) month extension of time and the requisite fee are provided herewith. Also provided herewith is a Supplemental Information Disclosure Statement and the requisite fee for submission.

Attorney Docket No.: PTQ-0028  
Inventors: Van Eyk et al.  
Serial No.: 09/419,901  
Filing Date: October 18, 1999  
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Please enter the following amendments and remarks into the record.

**Amendments to the claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 11.